

Merchant & Gould

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A Professional Corporation

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1-2-04

Fax Transmission

December 9, 2003

TO: Commissioner for Patents
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231

FROM: Alan R. Stewart

OUR REF: 2316.1574US01
TELEPHONE: 612.371.5376

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Total pages, including cover letter: 13PTO FAX NUMBER: 1-703-872-9319

If you do NOT receive all of the pages, please telephone us at 612.371.5376, or fax us at 612.332.9081.

Title of Documents Transmitted:

1. Communication responding to Notice of Abandonment mailed November 25, 2003.
2. Part 2-Copy Notice of Abandonment mailed November 25, 2003.
3. Copy of complete filing of Missing Parts mailed on November 20, 2001 including: Transmittals, Signed Combined Declaration and Power of Attorney, 2 checks: \$130 surcharge for late oath or declaration, and \$1,160 for filing fee and additional claims, copy of Part 2-Copy Notice of Missing Parts of Nonprovisional Application; and copy of Return Postcard.

Applicant: Johnsen et al.
Serial No.: 09/932,466
Filed: August 17, 2001
Group Art Unit: 2836
Confirmation No.: 3364
Our Ref. No.: 2316.1574US01
Customer No.: 23552

Please charge our Deposit Account No. 13-2725 in the amounts of \$130 for late oath or declaration surcharge and \$1,160 for basic filing fee and additional claim fees. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: [Signature]
Name: Alan R. Stewart
Reg. No.: 47,974
ARS:pll

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

[Signature]
Signature (Patricia L. Larrimore)

December 9, 2003
Date

S/N 09/932,466

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Johnsen et al.	Examiner:	Unknown
Serial No.:	09/932,466	Group Art Unit:	2836
Filed:	August 17, 2001	Docket No.:	2316.1574US01
Customer No.:	23552		
Title:	Finger Guard for Power Distribution Panel		

CERTIFICATE UNDER 37 CFR 1.6(d):

The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 9, 2003

By:

Name: Patricia L. Larrimore

COMMUNICATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the above-referenced application, we received a Notice of Abandonment, mailed on November 25, 2003, for failure to respond to a Notice to File Missing Parts. However, we did file a Response to the Notice to File Missing Parts via first class mail on November 20, 2001, with a Certificate of Mailing under 37 CFR §1.8.

Pursuant to 37 CFR §1.8(b), Applicants request that the Notice of Abandonment be withdrawn and the Response filed on November 20, 2001 be considered timely filed. 37 CFR §1.8(b) requires that the Applicants (1) inform the Patent Office promptly upon becoming aware of that the Patent Office has not received the correspondence; (2) supply a copy of the previously mailed correspondence with the certificate of mailing; and (3) include a statement attesting on a personal knowledge basis to the previous timely mailing.

05/24/2004 AIBRAHIN 00000003 132725 09932466

01 FC:1201 336.00 DA

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DEC 09 2003

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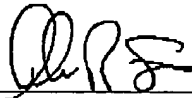
This Communication is being filed within 30 days of receipt of the Notice of Abandonment and after verification by Applicants that the Response was mailed on November 20, 2001, and that the checks accompanying the Response have not been presented for payment.

The undersigned attorney attests that, upon personal knowledge, the Response to the Notice to File Missing Parts was filed on November 20, 2001. A copy of the Response is attached hereto.

In the November 2001 Response, checks of \$130 for the Late Oath or Declaration Surcharge, and \$1,160 for the Basic Filing Fee and Additional Claim Fees were included. Please charge our Deposit Account No. 13-2725 for these amounts in fulfillment of the Notice to File Missing Parts. Applicants submit that the amount that was due at the time the Response was filed is the appropriate amount required to fully respond to the Notice. However, if the Patent Office feels that the current Late Oath or Declaration Surcharge, Basic Filing Fee and Additional Claims fees are appropriate, please charge the Deposit Account the current fees corresponding to the present application.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: December 9, 2003

By: 
Name: Alan R. Stewart
Reg. No.: 47,974
ARS:pll



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/932,466	08/17/2001	Carlos Cabrera	2316.1574US01

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

CONFIRMATION NO. 3364
ABANDONMENT/TERMINATION
LETTER



OC000000011357650

Date Mailed: 11/25/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/20/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Cabrera et al.	Examiner:	Unknown
Serial No.:	09/932,466	Group Art Unit:	2836
Filed:	August 17, 2001	Docket:	2316.1574US01
Notice of Allow. Date:	N/A	Batch No.:	N/A
Due Date:	November 20, 2001		
Title:	FINGER GUARD FOR POWER DISTRIBUTION PANEL		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the paper(s), as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231, on November 20, 2001.

By: 

Steven C. Brues

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Check(s) in the amount of \$130.00 and \$1,160.00 for surcharge for missing parts and application filing fee with extra claims.
- ☒ Other: Notice to File Missing Parts of Nonprovisional Application, Part 2
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: 

Name: Steven C. Brues

Reg. No.: 34,130

SCB:ju



(PTO TRANSMITTAL - GENERAL)

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Effective OCTOBER 1, 2001, Patent Fees will be adjusted. Please note that fee amounts required by the enclosed Notice might reflect the fees due on the date of filing. Any fee paid on or after OCTOBER 1, 2001 is subject to the new FY 2002 fee schedule and must be paid in the new amount.

EXAMPLES OF FEES BEING ADJUSTED
See www.uspto.gov for complete FY 2001
and FY-2002 Fee Schedules

* Indicates
fees remain
at FY 2001
amount

DESCRIPTION	FY 2001	FY 2002
Basic filing fee - Utility	\$710	\$740
Basic filing fee - Utility (Small Entity)	\$355	\$370
Independent claims in excess of three	\$80	\$84
Independent claims in excess of three (Small Entity)	\$40	\$42
Claims in excess of twenty	\$18	\$18*
Claims in excess of twenty (Small Entity)	\$9	\$9*
Multiple dependent claim	\$270	\$280
Multiple dependent claim (Small Entity)	\$135	\$140
Surcharge - Late filing fee	\$130	\$130*
Surcharge - Late filing fee (Small Entity)	\$65	\$65*
Design filing fee	\$320	\$330
Design filing fee (Small Entity)	\$160	\$165
Plant filing fee	\$490	\$510
Plant filing fee (Small Entity)	\$245	\$255
Reissue filing fee	\$710	\$740
Reissue filing fee (Small Entity)	\$355	\$370
Reissue independent claims	\$80	\$84
Reissue independent claims (Small Entity)	\$40	\$42
Reissue claims in excess of twenty	\$18	\$18*
Reissue claims in excess of twenty (Small Entity)	\$9	\$9*
Provisional application filing fee	\$150	160
Provisional application filing fee (Small Entity)	\$75	80
Surcharge - Late provisional filing fee	\$50	\$50*
Surcharge - Late provisional filing fee (Small Entity)	\$25	\$25*
Non-English Specification	\$130	\$130*
Extension - First month	\$110	\$110*
Extension - First month (Small Entity)	\$55	\$55*
Extension - Second month	\$390	\$400
Extension - Second month (Small Entity)	\$195	\$200
Extension - Third month	\$890	\$920
Extension - Third month (Small Entity)	\$445	\$460
Extension - Fourth month	\$1,390	\$1,440
Extension - Fourth month (Small Entity)	\$695	\$720
Extension - Fifth month	\$1,890	\$1,960
Extension - Fifth month (Small Entity)	\$945	\$980
Petition	\$130	\$130*
Processing returned checks	\$50	\$50*

For further fee information, please call
(703-308-HELP)

Rev. 9/18/2001

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DEC-08-03 11:54

FROM-Merchant & Gould

6123329081

T-391 P.013/013 F-486

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

In re Application of: Cabrera et al.

For: FINGER GUARD FOR POWER DISTRIBUTION PANEL

Docket No.: 2316.1574US01

Serial No.: 09/932,466

Filed: August 17, 2001

Due Date: November 20, 2001

Date Mailed: November 20, 2001

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Check(s) in the amount of \$130.00 and \$1,160.00 for surcharge for missing parts and application filing fee with extra claims.
- ☒ Other: Notice to File Missing Parts of Nonprovisional Application, Part 2
- ☒ Return postcard

Patent

SCB:ju

CONTROL NO. MG-61065

Requestor:

Vendor # / Name: 1002 Commissioner of Patents and Trademarks

Check Date: 11/19/01

Check # 349016

VOUCHER INV. #

DATE

ACCT / DEPT#

MATTER #

AMOUNT PAID

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HARD DISB PYBL-MSP (EXP G/L)

02316.1574US01

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CONTROL NO. MG-61084

Requestor:

Vendor # / Name: 1002 Commissioner of Patents and Trademarks

Check Date: 11/19/01

Check # 349035

VOUCHER INV. #

DATE

ACCT / DEPT#

MATTER #

AMOUNT PAID

528902 junen

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HARD DISB PYBL-MSP (EXP G/L)

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